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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

C-29A

April 3, 1997

BY FAX AND REGULAR MAIL

Scott Reisch
Hogan and Hartson
1200 17th St. Suite 1500
Denver CO 80202

Re: Master Metals, Inc. Superfund Site
Administrative Order Assurance
American Matsushita Electric Corporation

Dear Mr. Reisch:

I am writing to respond to your request of March 24, 1997, for a written assurance from the United States Environmental Protection Agency ("U.S. EPA") regarding the additional work provisions of its Administrative Order by Consent (the "Order") in the matter of the Master Metals, Inc. Superfund Site (the "Site"), which provisions are located at Section V.2.6 of the Order, pp. 16-17. In particular, you indicated a concern that the additional work provisions would be utilized by the U.S. EPA to require Respondents to implement the preferred alternative of the Engineering Evaluation/Cost Analysis ("EE/CA"), which EE/CA shall be performed as "Phase II" of the Order.

As I stated on March 24, 1997, I believe that the answer to your concerns lies in the language of the Order itself. For example, the Order addresses the implementation of the EE/CA's preferred alternative ("Phase III" work) in Section V.2, p. 13:

"Once the preferred alternative [among those set forth in the EE/CA] is chosen through an Action Memorandum developed by the U.S. EPA, in consultation with the Ohio EPA for the non-time critical removal, nego[t]iations will begin with the Settling Defendants to implement the preferred alternative."

U.S. EPA stands by the Order and this already-declared concept of how the Phase III work shall be effected. As I stated on March 24, 1997, and as is set forth above, U.S. EPA does not intend to utilize the Order's additional work provisions to replace the above concept.

If you have any questions or concerns regarding this letter or any other matter, you may contact me at your convenience at (312) 886-6827.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kris P. Vezner', with a long, sweeping horizontal line extending to the right.

Kris P. Vezner
Assistant Regional Counsel

cc: Dennis Reis, Quarles & Brady